



1442 E. Lincoln Avenue, #479 | Orange, CA 92865 | tel 877.851.7325 | fax 714.630.4839 | www.peakcomm.com

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Dear Chairman Genachowski:

As a small business owner, I feel compelled to write this letter to express our concern over your Notice of Proposed Rulemaking as it pertains to third-party billing. Our company, Peak Communications, Inc., is a small telecommunications firm that provides Long Distance Telephone services to approximately 40,000 customers across the country.

For more than 14 years, our employees in California have provided valuable services to our customers. While we applaud your efforts to protect consumers from phone bill cramming, we also strongly believe that third-party billing services are of great importance to businesses and consumers alike. They must be preserved in any new rules that are implemented for the industry.

Specifically, the FCC's proposed "opt-in" requirement fails to make a distinction for wireline carriers, who inherently provide an opt-in through the affirmative process of placing a collect or long distance call. We believe that implementing an additional consent process is unworkable for wirelines, and may result in increased costs for businesses and consumers in already difficult economic circumstances.

Indeed, all consumers should be protected from phone bill cramming. However, we strongly believe that the FCC's proposed rule is inefficient and has unintended consequences. More effective ways to thwart the practice are available, such as requiring stronger industry standards for reviewing merchants before they are permitted to include their charges on a consumers' phone bill. This will help weed out the bad actors, without punishing businesses like ours which have faithfully and reliably served thousands of consumers who benefit from our services.

I urge you to consider the millions of Americans who would see their phone bills increase and the many small businesses, like our own, that will be negatively impacted by a decision to require an "opt-in" to third-party billing services. The financial impact felt across the country will be significant.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Fred Ramer". The signature is written in a cursive, flowing style.

Fred Ramer
Chief Financial Officer
Peak Communications, Inc.